

REMARKS/ARGUMENTS

Claims 17-21 are pending. By this Amendment, Claim 17 is amended and Claim 22 is canceled. Support for the features of amended Claim 17 can be found in the specification at e.g. Fig. 5. No new matter is added.

Applicant appreciates the courtesies extended Applicant's representative during the January 8th personal interview. The substance of the discussions held are incorporated into the amendments and following remarks and constitute Applicant's record of the interview.

The outstanding Office Action includes a rejection of Claims 17-22 under 35 U.S.C. § 102(b) over U.S. Patent 5,754,850 to Janssen and a rejection to Claims 17-22 under 35 U.S.C. § 103(a) over Janssen in view of United Rentals, Inc. These rejections are respectfully traversed.

Before considering the rejections, it is believed that a brief review of the subject matter of independent Claim 17 would be helpful.

In this regard, independent Claim 17 includes a system for renting a construction machine including a first network terminal configured to enable a provider to input and update a piece of basic information related to a specification, a rental situation and a location of a construction machine for rent, a second network terminal configured to enable a person seeking a rental service to input another piece of basic information related to a specification of a construction machine of his choice, rental period information including a rental period of his choice, and a rental place of his choice, in such a manner that the input includes an option to identify a preferred option of one of the specification, the rental period and a rental place, a network server including means for holding the piece of basic information, a rental situation and a location of a construction machine for rent, means for searching for information related to a rentable construction machine on the basis of the piece of basic information related to the specification, the rental situation and the location, as input from the first network terminal

and held by the network server, means for providing the second network terminal with the information related to the construction machine for rent as the searched result displaying information related to the rental situation of the construction machine for rent, the rental situation including whether the construction machine is rented, vacant, under course of negotiations and under course of or out of operation during a period corresponding to the rental period inputted through the second network terminal and means for searching and carrying out an equivocal search.

Turning to the rejection of Claims 17-22 under 35 U.S.C. § 102(b) as being unpatentable over Janssen, Applicant respectfully disagrees with the Office Action's assertion that the data involved in construction machines and apartments is the same, namely, location, specification (kind of apartment), and time period. The Office Action further asserts that the fact that the data relates to construction machines is not important because the data variables themselves are disclosed in Janssen. Finally, the Office Action asserts that the data for location specification and time period that relate to construction machines does not define over the same kind of data that is used for apartments.

Claim 17 includes a means for providing the second network terminal with the information related to the construction machine for rent as the searched result displaying information related to the rental situation of the construction machine for rent, the rental situation including whether the construction machine is rented, vacant, under course of negotiations and under course of or out of operation during a period corresponding to the rental period inputted through the second network terminal. As described in the specification at e.g., page 9, line 9 et seq. and Figure 5, the rental situation of a construction machine relates to, *inter alia*, whether the machine is rented, whether the machine is vacant, in course of negotiations and under course or out of operation. Thus, as shown in Figure 5 this specific information is provided, stored and displayed. In the example used in the Office Action, i.e.,

an apartment, none of this information is stored and disclosed. Instead, the vacancy of an apartment would merely be presumed. There is no need to provide specific information relating to dates when the apartment is rented, vacant, under offer or out of operation.

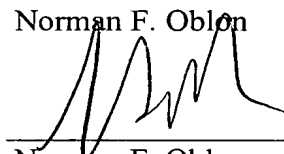
With respect to the rejection of Claims 17-22 under 35 U.S.C. § 103(a) over Janssen in view of United Rentals, Inc. United Rentals, Inc. does not provide the deficiencies of Janssen as discussed above. Withdrawal of this rejection is respectfully requested.

Claims 18-21 depend from independent Claim 17 and are patentable for at least the reasons discussed above as well as for the individual features they recite.

As no further issues are believed to remain outstanding in the present application, it is believed that this application is in condition for formal allowance and early and favorable action to that effect is therefore respectfully requested.

Respectfully submitted,

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